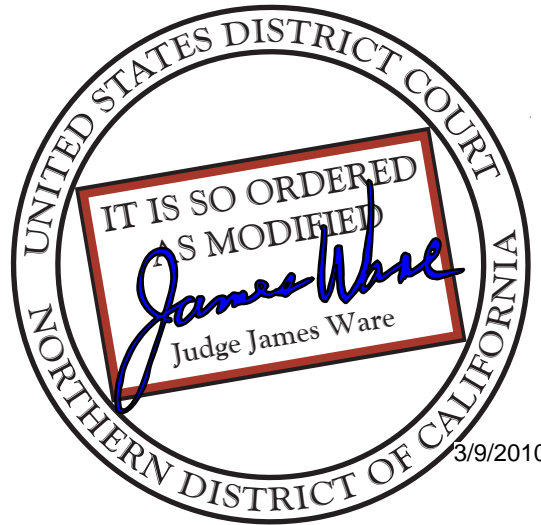


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OM Financial Life Insurance Company  
(formerly known as Fidelity and Guaranty Life  
Insurance Company)



UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA – SAN JOSE DIVISION

OSVALDO MENDOZA,

Plaintiff,

vs.

FIDELITY AND GUARANTY LIFE  
INSURANCE COMPANY aka FIDELITY &  
GUARANTY LIFE and F&G LIFE, OM  
FINANCIAL LIFE INSURANCE COMPANY,  
and DOES 1 through 100,

Defendants.

Case No.: C 09-01211 JW

*[Signature]*  
[PROPOSED] ORDER RE REFERRAL  
TO MAGISTRATE JUDGE FOR  
SETTLEMENT CONFERENCE

Honorable James Ware

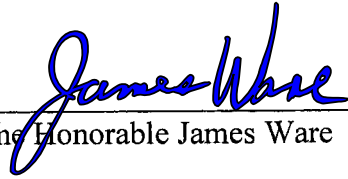
REED SMITH LLP

A limited liability partnership formed in the State of Delaware.

[PROPOSED] ORDER

IT IS HEREBY ORDERED that, pursuant to the Stipulation between Defendant OM Financial Life Insurance Company (formerly known as Fidelity and Guaranty Life Insurance Company) and Plaintiff Osvaldo Mendoza, this matter be referred to the assigned magistrate judge, Howard R. Lloyd, for a settlement conference. On or before **March 15, 2010**, the parties shall contact Judge Lloyd's Courtroom Deputy to set up their conference.

DATED: March 9, 2010

  
The Honorable James Ware

US\_ACTIVE-103306346.1-RYKIM

REED SMITH LLP

A limited liability partnership formed in the State of Delaware.

I am a resident of the State of California, over the age of eighteen years, and not a party to the within action. I am employed in the office of a member of the bar of this court at whose direction the service was made. My business address is REED SMITH LLP, 355 S. Grand Avenue, Suite 2900, Los Angeles, CA 90017.

On March 4, 2010, I electronically filed the following document(s) with the Clerk of the Court using the CM/ECF system, which sent electronic notification of such filing to all other parties appearing on the docket sheet, as listed below.

**[PROPOSED] ORDER RE REFERRAL TO MAGISTRATE JUDGE FOR SETTLEMENT CONFERENCE**

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**ATTORNEYS FOR PLAINTIFF**  
**Osvaldo Mendoza**

I declare under penalty of perjury under the laws of the United States that the above is true and correct. Executed on March 4, 2010, at Los Angeles, California.

s/Patty Keen

# Patty Keen